

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security 0 Assumption of Executory Contract or Unexpired Lease 1 Lien Avoidance

Last revised: December 1, 2017

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re: Case No.: 17-23764
Patricia Ann Bacon Judge: MBK

Debtor(s)

1st Modified

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: 07/12/2018
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☒ DOES ☐ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/WHO Initial Debtor: /s/PAB Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 583.00 per month to the Chapter 13 Trustee, starting on August 1, 2018 for approximately 49 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☐ Future earnings

☒ Other sources of funding (describe source, amount and date when funds are available):

Social security disability and help from family members

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☒ Loan modification with respect to mortgage encumbering property:

Description: 1406 6th Avenue Neptune NJ 07753

Proposed date for completion: December 31, 2018

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☐ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ 2,080.00 to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: Bank of America (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 1,707.70
DOMESTIC SUPPORT OBLIGATION		

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Bank of America - 1st mortgage	1406 6th Avenue Neptune, NJ	Unknown	0%	arrears not to be paid pending loan modification	see adequate protection section 2b.
Neptune Twp Sewer/Tax holder SWDSL & Assoc	1406 6th Avenue Neptune, NJ - Sewer Lien	\$900.00		\$900.00	\$78.00

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Santander - Auto loan	BMW 328I	\$22,966.88	\$22,000.00	\$0	\$22,966.88	4.5%	\$23,927.50

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan ☒ NONE

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☒ Not less than \$ 0.00 to be distributed *pro rata*

☐ Not less than _____ percent

☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ **NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☐ **NONE**

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☐ **NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
Perry James Justice Atty: Perry James Justice	1406 6th Avenue Neptune, NJ	Judgement Lien DJ-0767210-2015	\$16,660.00	\$180,000.00	\$24,878.00	\$315,000.00	Total amount of the lien
Jersey Shore Medical Center Atty: Marvel & Maloney	1406 6th Avenue Neptune, NJ	Judgement Lien DJ-161836-2016	\$3,958.02	\$180,000.00	\$24,878.00	\$315,000.00	Total amount of the lien

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☐ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Santander - Auto loan	BMW 328I	\$22,966.88	\$22,000.00	\$22,966.88	interest above 4.5% rate

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Other Administrative Claims - William H. Oliver
- 3) Secured Claim
- 4) Priority Claims; 5) General unsecured claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 07/07/2017.

Explain below **why** the plan is being modified:
Correcting adequate protection payment.

Explain below **how** the plan is being modified:
part 2 correct adequate protection payment

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date: 07/12/2018

/s/ William H. Oliver, Jr.
Attorney for the Debtor

Date: 07/12/2018

/s/Patricia Ann Bacon
Debtor

Date: _____

Joint Debtor

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date: 07/12/2018

/s/ William H. Oliver, Jr.
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 07/12/2018

/s/Patricia Ann Bacon
Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 11 of 12

United States Bankruptcy Court
District of New JerseyIn re:
Patricia Ann Bacon
DebtorCase No. 17-23764-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 44

Date Rcvd: Jul 13, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 15, 2018.

db
cr
516923587 +Patricia Ann Bacon, 1406 6th Avenue, Neptune, NJ 07753-4948
516923588 +Santander Consumer USA Inc., 2860 Patton Rd., Roseville, MN 55113-1100
1 and 1 Internet AG, co FMA Alliance, PB 2409, Houston, TX 77252-2409
+AARON S INC, PO BOX 100039, KENNESAW GA 30156-9239
(address filed with court: Aarons Sales & Lease, Attn: Bankruptcy, 309 E Paces Ferry Rd Ne,
Atlanta, GA 30305)

517133562 +Bank of America, N.A., c/o Carrington Mortgage Services, LLC, 1600 South Douglass Road,
Anaheim, CA 92806-5948

516923590 +Carrington Mortgage Services, PO Box 3489, Anaheim, CA 92803-3489
516923591 +Commonwealth Financial Systems, 245 Main St, Dickson City, PA 18519-1641
517176050 +Directv, LLC, by American InfoSource LP as agent, 4515 N Santa Fe Ave,
Oklahoma City, OK 73118-7901

516923596 Jersey Shore University Medical Center, 1945 NJ-33, Neptune, NJ 07753
517136194 +Jersey Shore University Medical Center, c/o MARVEL & MALONEY, P.O. Box 727,
Neptune, New Jersey 07754-0727

516923597 +KML Law Group PC, 216 Haddon Avenue, Suite 406, Collingswood, NJ 08108-2812
516923598 +LVNV Funding, LLC, 700 Executive Drive, Suite #300, Greenville, SC 29615-4555
516923599 +Marvel & Maloney, 3455 Route 66 & Green Grove Rd, P.O. Box 727, Neptune, NJ 07754-0727
516960111 +Milton Lee Justice, c/o Custis, Dix, Lewis LLP, 23345 Counsel Drive, PO Box 577,
Accomac, VA 23301-0577

516923600 +Monmouth Dental Group, 288 Highway 35 S, Eatontown, NJ 07724-2174
516923601 +National Credit Adjusters, 327 W 4th Avenue, Hutchinson, KS 67501-4842
516923602 New Jersey American Water, PO Box 371331, Pittsburgh, PA 15250-7331
516927732 +Orion, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
516923603 +Perry James Justice, 201 N Division Street, Fruitland, MD 21826-2228
516960110 +Perry James Justice, c/o Custis, Dix, Lewis LLP, 23345 Counsel Drive, PO Box 577,
Accomac, VA 23301-0577

517127961 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
TRENTON NJ 08646-0245
(address filed with court: State of New Jersey, Division of Taxation, Bankruptcy Section,
PO Box 245, Trenton, NJ 08695-0245)

516923607 +SWDSL & Associates, 17 West Cliff Street, Somerville, NJ 08876-1901
516923605 +Santander Consumer USA, PO Box 961245, Ft Worth, TX 76161-0244
516968186 +Santander Consumer USA, Inc., P.O. Box 560284, Dallas, TX 75356-0284
516923606 +State of New Jersey, Division of Taxation, PO Box 245, Trenton, NJ 08602-0245
516923608 +TLC; The Lawn Company, PO Box 698, Shrewsbury, MA 01545-8698
516923611 +Trident Asset Management, Attn: Bankruptcy, PO Box 888424, Atlanta, GA 30356-0424

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. smg

E-mail/Text: usanj.njbankr@usdoj.gov Jul 13 2018 23:35:52 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jul 13 2018 23:35:47 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235

516923589 +E-mail/Text: bankruptcy@sccompanies.com Jul 13 2018 23:37:12 Ashro, 1112 7th Ave,
Monroe, WI 53566-1364

517030826 +E-mail/Text: bankruptcy@sccompanies.com Jul 13 2018 23:37:12 Ashro Lifestyle,
c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849

516923592 +E-mail/Text: bankruptcy_notifications@ccsusa.com Jul 13 2018 23:36:56
Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679

516923593 +E-mail/Text: bankruptcy_notifications@ccsusa.com Jul 13 2018 23:36:56
Credit Collections Svc, PO Box 773, Needham, MA 02494-0918

516923594 E-mail/Text: cio.bncmail@irs.gov Jul 13 2018 23:35:13 Internal Revenue Service,
PO Box 7346, Philadelphia, PA 19101-7346

517111571 E-mail/PDF: resurgentbknnotifications@resurgent.com Jul 13 2018 23:38:17
LVNV Funding, LLC its successors and assigns as, assignee of MHC Receivables, LLC,
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587

516988476 +E-mail/Text: csc.bankruptcy@amwater.com Jul 13 2018 23:36:57 New Jersey American Water,
P.O. Box 578, Alton, IL 62002-0578

517125420 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 13 2018 23:38:11
Orion Portfolio Services LLC, c/o PRA Receivables Management, LLC, PO Box 41021,
Norfolk, VA 23541-1021

517104805 E-mail/Text: bnc-quantum@quantum3group.com Jul 13 2018 23:35:40
Quantum3 Group LLC as agent for, CF Medical LLC, PO Box 788, Kirkland, WA 98083-0788

516923604 +E-mail/Text: bankruptcy@rentacenter.com Jul 13 2018 23:37:04 Rent A Center, 2040 Route 33,
Neptune, NJ 07753-6112

516923610 +E-mail/Text: MNARCISO@NEPTUNETOWNSHIP.ORG Jul 13 2018 23:36:50 Township of Neptune,
PO Box 1167, 25 Neptune Boulevard, Neptune, NJ 07753-4814

516923609 E-mail/Text: MNARCISO@NEPTUNETOWNSHIP.ORG Jul 13 2018 23:36:50 Township of Neptune,
25 Neptune Boulevard, PO Box 1167, Neptune, NJ 07754-1167

516923612 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Jul 13 2018 23:34:57
Verizon, Verizon Wireless Bankruptcy Administrati, 500 Tecnolgy Dr Ste 500,
Weldon Springs, MO 63304-2225

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 44

Date Rcvd: Jul 13, 2018

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

517048682 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jul 13 2018 23:38:37 Verizon,
by American InfoSource LP as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
516923613 E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Jul 13 2018 23:34:57
Verizon, PO Box 15124, Albany, NY 12212-5124

TOTAL: 17

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

lm* +Carrington Mortgage Services, PO Box 3489, Anaheim, CA 92803-3489
517138264* +Bank of America, N.A., c/o Carrington Mortgage Services, LLC, 1600 South Douglass Road,
Anaheim, CA 92806-5948
516923595* Internal Service Revenue, PO Box 7346, Philadelphia, PA 19101-7346
cr ##+Santander Consumer USA Inc., 8585 N. Stemmons Fwy., Ste 1100-N, Dallas, TX 75247-3822
TOTALS: 0, * 3, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 15, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on July 12, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor Bank of America, N.A. dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
John R. Morton, Jr. on behalf of Creditor Santander Consumer USA Inc. ecfmail@mortoncraig.com,
mortoncraigecf@gmail.com
Rebecca Ann Solarz on behalf of Creditor BANK OF AMERICA, N.A. rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
William H. Oliver, Jr. on behalf of Debtor Patricia Ann Bacon bkwoliver@aol.com,
R59915@notify.bestcase.com

TOTAL: 7